

## REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 1-4 remain in the application. New claims 5-15 have been added.

Claims 1-4 have been editorially amended to remove item numbers and unnecessary words.

Claim 1 has been further amended to include means for connecting the control chamber to the inlet when the first channel is closed. Support for the means for connecting the control chamber to the inlet when the first channel is closed is provided in at least FIGs. 2-5 wherein the chamber 22 is connected to the inlet 23 by channels 34 and 35 through valve 30.

New claim 5 specifies that the means for connecting the control chamber to the inlet when the first channel is closed comprises a valve in a second channel connecting the control chamber to the inlet. Support for this feature is provided in at least FIG. 2, wherein a valve 30 is connected in a channel 34 and 35.

New claim 6 specifies that the valve is controlled by a pressure in a second control chamber. Support for this feature is provided in at least FIG. 2, wherein item 20 is a second chamber.

New claim 7 specifies a pumping system comprising: a pump; a user device connected to the pump by a delivery conduit; a first chamber; a projection between the first chamber and the pump; a second chamber connected to the delivery conduit through a dissipation means for imparting a pressure to the oil in the second chamber that is lower than a pressure of oil in the delivery conduit; wherein a difference in pressure of oil the first chamber and the second chamber moves the projection to set the pump to a balanced configuration to supply an oil flow demanded by said user device; and a channel connecting the second chamber to an inlet. Support for these features is provided in at least FIG. 2, in the form of a pump 10\*; a user device (UT); a first chamber 20; a projection 19; a second chamber 22; a dissipation means 29; a channel 40; and the text in the specification that described the operation of the system of FIG. 2.

New claim 8 specifies that the pumping system of claim 7 further comprises means for selectively closing the first channel. Support for this feature is

provided in at least FIG. 2, as item 41.

New claim 9 specifies that the means for selectively closing the first channel comprises a second projection connected to the pump. Support for this feature is provided in at least FIG. 2, as item 21.

New claim 10 specifies that the means for selectively closing the first channel comprises a valve in the first channel. Support for this feature is provided in at least FIG. 2, as item 41.

New claim 11 specifies that the means for selectively closing said channel is controlled selectively by an operating parameter. Support for this feature is provided in at least the text on page 10, lines 25-27 of the specification.

New claim 12 specifies that the operating parameter is the temperature of the oil pumped by the pump. Support for this feature is provided in at least the text on page 10, lines 25-27 of the specification.

New claim 13 specifies that the pumping system of claim 7 further comprises a valve connected between the second chamber and the inlet for regulating oil pressure in the second chamber when the first channel is closed. Support for this feature is provided in at least FIG. 2, as item 30.

New claim 14 specifies that the valve is controlled by oil pressure in a second chamber. Support for this feature is provided in at least FIG. 2, as item 20.

New claim 15 specifies that the pump comprises a variable delivery vane pump and the projection is connected to a ring in the pump. Support for this feature is provided in at least FIG. 2, as item 10\*.

#### **Claim Rejections - 35 U.S.C. § 102(b)**

In Section 2 of the Detailed Action portion of the Office Action, claims 1-4 have been rejected under 35 U.S.C. 102(b) as being anticipated by Hardy (US 2,716,946 ("Hardy").

Regarding claim 1, Hardy was cited as teaching all the limitations of claim 1.

The rejection of claim 1 is traversed. Claim 1 has been amended to

include means for connecting the control chamber to the inlet when the first channel is closed. The Applicants respectfully submit that claim 1 is not anticipated by Hardy because Hardy does not disclose or suggest means for connecting the control chamber to the inlet when the first channel is closed, in combination with the other elements of the claim. By including a means for connecting the control chamber to the inlet when the first channel is closed, the operation of the pump can continue to be controlled even after the first channel is closed. This is in direct contrast to Hardy, wherein after the pressure control means 40 is opened, the variable displacement vane pump is no longer controlled.

Regarding claim 2, Hardy was cited as teaching that a member 68 of said pump 10 comprises means 69 for selectively closing said channel (73, 74).

Since claim 2 depends from claim 1, the rejection of claim 2 is traversed for the reasons set forth above with respect to the traversal of the rejection of claim 1.

Regarding claim 3, Hardy was cited as teaching that a channel (73, 74) comprises opening/closing means 69 controlled selectively by an operating parameter (citing col. 5, lines 11-26).

Since claim 3 depends from claim 1, the rejection of claim 3 is traversed for the reasons set forth above with respect to the traversal of the rejection of claim 1.

Regarding claim 4, Hardy was cited as teaching that an operating parameter is the temperature of the oil pumped by said pump 10 (citing col. 5, lines 11-26).

Since claim 4 depends from claim 1, the rejection of claim 4 is traversed for the reasons set forth above with respect to the traversal of the rejection of claim 1.

### New Claims 5-15

New claims 5 and 6 depend from claim 1 and are not anticipated by Hardy for the reasons set forth above with respect to claim 1.

New claim 7 includes features not shown in Hardy, including a second chamber. New claims 8-15 depend from claim 7 and includes additional features not shown in Hardy.

**Conclusion**

Allowance of the application is requested. In the event that any outstanding issues remain, the Examiner is invited to call the undersigned to resolve such issues.

Respectfully submitted,

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